

AMENDED IN SENATE SEPTEMBER 4, 2003

AMENDED IN SENATE SEPTEMBER 2, 2003

AMENDED IN ASSEMBLY MARCH 27, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 677**

**Introduced by Assembly Member Firebaugh**

February 19, 2003

---

An act to add Section 21152.1 to the Public Resources Code, relating to environmental quality.

### LEGISLATIVE COUNSEL'S DIGEST

AB 677, as amended, Firebaugh. Environmental quality: local agency filing.

(1) The existing California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also generally requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA provides some exemptions from its requirements for specified projects.

This bill would require a local agency or specified person, when the agency determines that a project is exempt from CEQA's requirements

for certain reasons and when the agency approves or determines to carry out that project, to file notice of the determination with the Office of Planning and Research. The bill would require those notices to be available for public inspection as specified.

By imposing new duties on local agencies, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 21152.1 is added to the Public  
2 Resources Code, to read:

3 21152.1. (a) When a local agency determines that a project is  
4 not subject to this division pursuant to Section 21159.22,  
5 21159.23, or 21159.24, and it approves or determines to carry out  
6 that project, the local agency or the person specified in  
7 ~~subdivisions~~ *subdivision* (b) or (c) of Section 21065, shall file  
8 notice of the determination with the Office of Planning and  
9 Research.

10 (b) All notices filed pursuant to this section shall be available  
11 for public inspection, and a list of these notices shall be posted on  
12 a weekly basis in the Office of Planning and Research. Each list  
13 shall remain posted for a period of 30 days.

14 (c) Failure to file the notice required by this section does not  
15 affect the validity of a project.

16 (d) *Nothing in this section affects the time limitations contained*  
17 *in Section 21167.*

18 SEC. 2. No reimbursement is required by this act pursuant to  
19 Section 6 of Article XIII B of the California Constitution because  
20 a local agency or school district has the authority to levy service  
21 charges, fees, or assessments sufficient to pay for the program or



- 1 level of service mandated by this act, within the meaning of
- 2 Section 17556 of the Government Code.

O

